

Entered - 6-12-00- sb  
CL 00L0368 - ALEXIS HOLMES

CLAIM OF: **DONALD G. HADDEN**  
710 Sherwood Road  
Atlanta, Georgia 30324

**01-*R*-0251**

For vehicular damages alleged to have been sustained as a result of driving over a steel construction plate in the road on April 12, 2000 at Amsterdam Avenue west of Monroe Drive.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **DONALD G. HADDEN** the sum of \$1,821.75 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of driving over a steel construction plate in the road on April 12, 2000 at Amsterdam Avenue west of Monroe Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robert Craig OCA*

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0368

Date: 2/9/01

Claimant /Victim DONALD G. HADDEN

BY: (Atty) \_\_\_\_\_

Address: 710 Sherwood Road, Atlanta, Georgia 30324

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,821.75 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 5/24/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 4/12/00 Place: Amsterdam Avenue near Monroe Drive

Department Public Works Division: Sewer Operations

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** The claimant sustained vehicular damages when he drove his vehicle over a steel plate covering in the road. The City had prior knowledge of the construction site and had failed to properly secure the steel plate covering or erect a barricade or post warnings to motorist.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant X Other \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial X

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_


Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

**RECOMMENDATION:**

Pay \$ \$1,821.75 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 02-12-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

**COUNCIL OF THE CITY OF ATLANTA**  
**MUNICIPAL CLERK**  
 City Hall  
 55 Trinity Avenue, S.W.  
 Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 5.17.00

Dear Municipal Clerk:

MAY 24

MUNICIPAL CLERK

05-24-00 P12:43 IN  
 ENTERED - 6-12-00 - SB  
 00L0368 - DPBBS JORDAN

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,821.75 property and/or \$ -0- bodily injury for which I contend the City is liable.

1. Date of incident: 4.12.00 (month/day/year) 2. Time of Incident: 3:00 PM 3. Police called: Yes ☒ No ☐
4. Location of incident (including street address): NEXT TO 1230/1232 MONROE DRIVE ON AMSTERDAM AVENUE JUST WEST OF MONROE DRIVE
5. Name of your insurance company: NATIONWIDE Policy No. 77 10 N669325
6. State what and how incident occurred: STRUCK POTHOLE IN STREET - DAMAGE TO SUBFRAME OF CAR

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: MERCEDES 380SL 1994 965LYH DONALD G. HADDEN  
 (Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
 (Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
 (Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Donald G. Hadden  
 Signature of Claimant

DONALD G. HADDEN  
 (Print Claimant's Name)

710 SHERWOOD ROAD  
 (Address)

ATLANTA, GEORGIA 30324  
 (City, State and Zip Code)

404.276.6821  
 (Work Number)

404.875.2678  
 (Home Number)

01-R-0251